

REMARKS

The applicants sincerely thank Examiner Robertson for affording Dr. Basil Gregorovich and attorney Deshmukh opportunity to conduct interview on September 29, 2003 and further express their earnest appreciation for his courtesy and helpful comments. All the outstanding rejections and art cited were discussed and an agreement was reached along the lines stated in the interview summary. The applicants respectfully submit that the response submitted herein addresses all the issues raised by the Examiner.

The specification was amended to make reference to earlier filed provisional patent application and page 17 was amended to correct inadvertent and minor typographical errors. Claims 15, 17 and 18 were also amended to correct minor typographical errors.

Claim 2 and 3 were rejected under 35 U.S.C. § 112, second paragraph being indefinite. To overcome the forgoing rejection, claim 2 was amended to provide the missing dependence from claim 1.

The rejection of claims 1 and 3-20 under 35 U.S.C. § 103 (a) as being unpatentable over WO99/60065 (hereafter Jaycox) in view of Brindoepeke is respectfully traversed in view of the following remarks:

The composition of the present invention includes an epoxy resin having at least one acetoacetate functionality and at least one epoxy group; and one or more **reactive components** selected from the group consisting of a structured reactive diluent, an acrylic polymer, a polyester, and a combination thereof. The reactive component is provided with at least two acetoacetate functionalities. Such a reactive component is neither disclosed in nor contemplated by Jaycox or Brindoepeke.

The Office Action admits that Jaycox fails to teach an epoxy resin that has one acetoacetate and one epoxy functionality or the amount of epoxy resin to be added to the composition. Regarding the current claim 6, which is directed to a low VOC composition, it is not seen how the pending claim 6 is affected by teachings on page 14, line 25-27 in Jaycox, which refer to the additives listed at page 14, lines 18-25. Said teaching **does not refer to or relates to the optional components, which includes an epoxy resin listed at page 14, lines 27-30 in Jaycox.** Thus, applicants respectfully request the examiner to review his interpretation of the foregoing reference in Jaycox.

The remark in the Office Action that Jaycox and Brindoepe are analogous art is respectfully traversed. There is no teaching or suggestion in either of these references to combine the two nor would it occur to one of ordinary skill in the art to do so. As noted in the abstract and also at page 3, lines 11-14 Jaycox is directed to attaining rapid cure and robust (reduced time-to-sand) films of early hardness and Jaycox can optionally include an epoxy resin. From the table at column 10 of Brindoepe one can readily note that there is no difference in sandability between the examples of Brindoepe and the comparative example (based on example G of EP 0 199 087 which contains polyacetate with no epoxy groups). Jaycox as commented on page 16, lines 1-5 requires Persoz oscillations of more than 70 two hours after layer deposition on a substrate. By contrast, Brindoepe (Comparative 1 in Table 2 on page 32 of the current specification, which, as noted at line 12-13 on page 32 of the present specification, is based on the teachings in Brindoepe) only results on Persoz oscillations of 28 even three hours after layer deposition on a substrate. Thus, it is not seen why one of ordinary skill in the art would substitute the optional epoxy resin in Jaycox with the polymer of Brindoepe **if there were no discernable advantages**, such as improved sandability. Thus, the applicants respectfully submit that one of ordinary skill in the art would not combine these two references.

Finally, even if one were to combine these two references, it would not lead to the claims of the present invention. The teachings in Brindoepe (Claim 1) disclose a liquid composition that contains a polymer containing acetoacetate groups and a polyamine wherein the polymer is obtained by either:

1. reacting a polyepoxide containing hydroxyl groups with acetoacetic acid ester, diketene or 2,2,6-trimethyl-1,3 dioxane-4-one; or
2. reacting a polyepoxide, which has partially reacted with monocarboxylic acids with acetoacetic acid ester, diketene or 2,2,6-trimethyl-1,3dioxane-4-one.

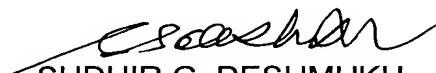
Thus, it is seen that in the first version the polymer only contains epoxy and acetoacetate groups and in the second version the polymer only contains epoxy, hydroxyl and acetoacetic groups. There is no teaching or suggestion in either of these references of including the claimed reactive components provided with at least two acetoacetate functionalities. Table 1 on page 31 and

Table 2 on page 32 of the current specification shows that when the claimed reactive composition is included in the composition, improved early hardness @ three hours can be readily seen when compared to a comparative example that did not include such a reactive component. Since, the Comparative Example 1 listed is based on the teachings in Brindoepeke, it is not seen why the teachings in Jaycox and Brindoepeke, taken alone or in combination render the current claims obvious.

The rejection of claim 2 under 35 U.S.C. § 103(a) as being unpatentable over Jaycox in view of Brindoepeke as applied to claim 1 above, and further in view of Schoonderwoerd et al. (hereafter Schoonderwoerd) is respectfully traversed since one of ordinary skill in the art would not combine Jaycox and Brindoepeke and even if combined, it would not lead to the present invention. Thus, it is not seen why the combination of the teachings from Schoonderwoerd with Jaycox and Brindoepeke would lead to any other results.

In view of the forgoing remarks, it is submitted that the current claims are in condition for allowance.

Respectfully submitted,


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